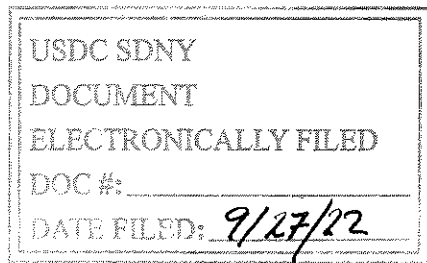


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



WESTERN WATERPROOFING COMPANY,
INC. D/B/A WESTERN SPECIALTY
CONTRACTORS,

Plaintiff,

v.

No. 20-cv-3199 (CM)

ZURICH AMERICAN INSURANCE
COMPANY, ALLIED WORLD SPECIALTY
INSURANCE COMPANY, ALLIED WORLD
ASSURANCE COMPANY (U.S.) INC., BDG
GOTHAM RESIDENTIAL, LLC, and ZDG,
LLC,

Defendants,

and

STARR INDEMNITY & LIABILITY
COMPANY, NAVIGATORS INSURANCE
COMPANY, PHILADELPHIA INDEMNITY
INSURANCE COMPANY and MARKEL
AMERICAN INSURANCE COMPANY,

Intervening Defendants.

BDG GOTHAM RESIDENTIAL, LLC
and ZDG, LLC,

Counterclaim Plaintiffs,

v.

WESTERN WATERPROOFING COMPANY,
INC. d/b/a WESTERN SPECIALTY
CONTRACTORS,

Counterclaim Defendant.

X

NOTICE

McMahon, J.:

The parties in the above-captioned matter are directed to report to the court on the status of the First Department's adjudication of the Excess Insurers' appeal of Justice Engoron's May 10, 2022, decision in *Starr Indemnity & Liability Company, et al. v Zurich Am. Ins. Co.*, Index No. 656346/2020 (N.Y. Sup. Ct. N.Y. Cnty.).

Dated: September 27, 2022

A handwritten signature in black ink, appearing to read "P. J. McMahon", with a long horizontal flourish extending to the right.

U.S.D.J.

BY ECF TO ALL COUNSEL